

REMARKS

Applicant has amended claims 1, 4, 7 and 11. Claims 8-10, which have been withdrawn from consideration, have been amended to correct minor matters of English usage in case they are rejoined. No new issue has been raised, and no new matter has been added.

Applicants thanks the Examiner for pointing out clearly difference between applicant's invention and the cited prior art.

Claims 1, 2, 4-6, 11 and 12 have been rejected under 35 USC 102(e) as anticipated by U.S. Patent No. 6,181,435 (Onodera). Applicant respectfully traverses this rejection.

Claim 1 as amended recites an image processing apparatus adapted for processing image data corresponding to a plurality of pages of a document and recites a controller for controlling the image data processor, the storage medium and the compressor so that after compressed image data corresponding to a page of the document is stored in the storage medium the processing applied by the image data processor is changed when it is determined that the storage medium cannot store further image data corresponding to another page of the document. Thus, the controller of the claimed image processing apparatus determines whether to change the processing by the image data processor at the end of image processing for one page and before the start of image processing for another page.

In the amendment filed April 20, 2004, applicant explained this feature of the claimed invention. In response to the argument, the Examiner admitted that Onodera's image processing change occurs during image processing of image data corresponding to one page but not between image processing of two different pages as claimed. However, the Examiner has maintained the rejections because in his view the term used previously in claim 1, a series of image data of a document, "does not require inherently that the document has many pages nor the series of image data equals pages of image data." See, Section 3, of the Action.

Claim 1 as amended is distinguishable over Onodera because the claim recites image data processing for a plurality of pages and states that whether to change the processing by the image

data processor is determined after storing image data of one page and prior to image processing of another page. Onodera does not teach or suggest the claimed multiple page image data processing, as the Examiner admits. Claim 11 presents substantially the same invention in a method claim format. Thus, the rejection of claims 1, 2, 4-6, 11 and 12 under 35 USC 102(e) on Onodera should be withdrawn.

The remaining rejections rely on Onodera and thus should be withdrawn as well since Onodera does not provide the teachings for which it is cited. Applicant respectfully requests that claims 8-10 rejoined and allowed because claims 8-10 are dependent from allowable claim 1.

In light of the above, a Notice of Allowance is solicited.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952**, referencing Docket No. 325772023100.

Respectfully submitted,

Dated: November 5, 2004

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